

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2011-____-C

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| IN RE: |) |
| |) |
| Application of Communication Telefonicas |) |
| Latinas Corp. for a Certificate of Public |) |
| Convenience and Necessity to Provide Resold |) |
| Interexchange Telecommunications Services |) |
| in the State of South Carolina and for |) |
| Alternative Regulation of its Interexchange |) |
| Offerings |) |

APPLICATION OF COMMUNICATION TELEFONICAS LATINAS CORP

Communication Telefonicas Latinas Corp (“CTLC” or “Applicant”), by counsel, and pursuant to S.C. Code Ann. §58-9-280, respectfully requests that the South Carolina Public Service Commission (the “Commission”) grant this Application for a Certificate of Public Convenience and Necessity to provide resold interexchange telecommunications service throughout the State of South Carolina. Applicant requests that its interexchange services be subject to alternative regulation, pursuant to South Carolina Code § 58-9-585 (Supp. 1999), as was first granted by the Commission in Order Nos. 95-1734 and 96-55 issued in Docket No. 95-661-C. CTLC further requests, pursuant to R. 103-601(3) of the Commission’s rules, that the Commission waive application to it of certain Commission rules, as outlined herein.

CTLC proposes to offer resold interexchange services to customers throughout the geographic territory of South Carolina. Approval of this application will promote the

public interest by providing CLTC's subscribers with cost advantages realized through the provision of competitive telecommunications services. Applicant's service will necessarily utilize existing carrier communications facilities more efficiently through increased usage and the addition of innovative, enhanced features. Telecommunications carriers will be empowered to provide more efficient and reliable services at lower prices, thereby benefiting consumers. Moreover, the provision of a wider range of telecommunications service will bolster the State's economic health.

In support of its Application, CTLC respectfully submits as follows:

1. The name and address of the Applicant are:

Communication Telefonicas Latinas Corp
3050 Royal Boulevard South, Suite 115
Alpharetta, Georgia 30022
Telephone: 866-814-9381
Facsimile: 866-814-9379
E-mail: rodney@ctlcorp.net

2. All correspondence, notices, inquiries and other communications regarding this application should be addressed to:

John J. Pringle, Jr.
Ellis, Lawhorne & Sims, P.A.
P. O. Box 2285
Columbia, SC 29202
Telephone: (803) 343-1270
Fax: (803) 799-8479
Email: jpringle@ellislawhorne.com

With copies to:

Charles H. Helein
Helein & Marashlian, LLC
The CommLaw Group
1420 Spring Hill Road
Suite 205
McLean, VA 22102
Telephone: (703) 714-1313
Fax: (703) 714-1330
Email: jsm@commlawgroup.com

3. Contact person regarding ongoing operations of the Company is:

Rodney A. Harrison
Communication Telefonicas Latinas Corp
3050 Royal Boulevard South, Suite 115
Alpharetta, Georgia 30022
Telephone: 866-814-9381
Facsimile: 866-814-9379
E-mail: rodney@ctlcorp.net

4. Description of Applicant

CTLC is a corporation formed under the laws of the State of Georgia. A copy of CTLC's Articles of Incorporation, as well as a copy of CTLC's Certificate of Authority to Transact Business in the State of South Carolina, is attached hereto as **Exhibit A**. Applicant is presently authorized to provide interexchange long distance telecommunications services in the States of California, Florida, Georgia, Illinois, Nevada, North Carolina, Texas and Washington. CTLC also has an application presently pending in the state of Alabama. Applicant has not had an application denied or rejected in any jurisdiction.

5. Officers and Directors and Legal Counsel

Applicant's officers, directors and legal counsel are identified at **Exhibit B** hereto.

6. Customer Service

CTLC understands the importance of effective customer service for its customers. CTLC has made arrangements for its customers to call the company at its toll-free customer service number, (866) 814-9380. In addition, customers may contact the company in writing at the headquarters address, as well as via e-mail at rodney@ctlcorp.net. The toll free number will be printed on the customer's monthly billing statements. The South Carolina contact person knowledgeable about CTLC's

operations, and who will also respond to ongoing Commission inquiries concerning tariffing, billing issues and customer complaints, is Rodney Harrison. Mr. Harrison be contacted electronically at rodney@ctlcorp.net or telephonically at (866) 814-9381.

7. Financial Ability

The financial statements of CTLC demonstrate that Applicant's financial strength is sufficient to enable it to provide and maintain service in the State of South Carolina. CTLC does not intend to construct facilities, other than equipment to be installed in existing buildings or structures, or to purchase facilities. Applicant anticipates satisfying its cash flow obligations from revenues from its South Carolina operations and is well positioned ensure the continued provision of reliable telecommunications service to South Carolina residents. Applicant's financial statements, for which confidential treatment is requested, are attached hereto as **Exhibit C**.

8. Managerial and Technical Ability

CTLC has the managerial and technical capability to provide high-quality interexchange telecommunications services within and throughout the State of South Carolina. Profiles of the experience of key members of CTLC's senior management team are attached as **Exhibit D**.

9. Description of Services Offered and Proposed Service Territory

CTLC seeks authority to provide long distance telecommunications services to subscribers throughout the State of South Carolina on a resold basis. CTLC's long distance services are provided through connecting carriers from whom CTLC leases underlying facilities and other services. A copy of CTLC's proposed long distance tariff is attached hereto as **Exhibit E**.

CTLC does *not* propose to provide alternative operator services nor require advance payments or deposits. CTLC will not be constructing any facilities for the purpose of providing interexchange services.

10. Public Interest and Need

The granting of CTLC's application is consistent with S.C. Code Ann. § 58-9-280(B), and, in that regard, CTLC makes the following representations to the Commission:

1. CTLC possesses the requisite technical, financial and managerial resources sufficient to provide the services requested;
2. CTLC's services will meet service standards required by the Commission;
3. The provision of services by CTLC will not adversely impact the availability of affordable telecommunications service;
4. CTLC, to the extent it is required to do so by the Commission, will participate in the support of universally available telephone service at affordable rates; and
5. The provision of services by CTLC will not adversely impact the public interest.

Grant of CTLC's Application for a Certificate of Public Convenience and Necessity to provide the service described within this Application is in the public interest and will serve the public convenience and necessity. The public interest will be served by expanding the availability of competitive telecommunications services and enhanced telecommunications infrastructure in the State of South Carolina, thereby facilitating economic development. Authorizing CTLC to enter the telecommunications service market will increase the competitive choices available, and in turn create incentives for all carriers to lower prices, provide new and better quality services, and be more responsive to customer issues and demands.

11. Waivers and Regulatory Compliance

CTLC requests that, pursuant to Commission Rule 103-601(3), the Commission grant it a waiver of those regulatory requirements that are inapplicable to CTLC's services because compliance with such rules would cause CTLC unusual hardship.¹ Specifically, CTLC requests a waiver of the following Commission Rule:

Rule 103-610: requiring a utility to maintain its records in the State of South Carolina. CTLC is headquartered in Georgia. As a result, it would be impractical for CTLC to maintain separate records in South Carolina. If the Commission or the Office of Regulatory Staff determines it is necessary to review CTLC's books, CTLC will provide this information to the Commission or the ORS upon request or will bear the cost of any out-of-state travel expenses incurred by Commission staff or the ORS.

Rule 103-611: to the extent this Rule requires that Applicant maintain its books and records in conformance with the Uniform System of Accounts (USOA), Applicant requests that the Commission allow the Applicant to use Generally Accepted Accounting Principles (GAAP). Good cause exists for the grant of this waiver. Neither the Federal Communications Commission nor any other jurisdiction requires Applicant to maintain its books and records according to the USOA. Absent the grant of a waiver, Applicant would be required to maintain a dual set of books, one solely for South Carolina and another for all other jurisdictions. Such a requirement would be extremely burdensome. GAAP is a widely-accepted accounting methodology that accurately reflects the Applicant's operations. Applicant's continuing use of GAAP will be consistent with the

¹ 26 S.C. Code Ann. Regs. Supp. 2010: ("In any case where compliance with any of these rules and regulations introduces unusual difficulty or where circumstances indicate that a waiver of one or more rules or regulations is otherwise appropriate, such rule or regulation may be waived by the Commission upon a finding by the Commission that such a waiver is not contrary to the public interest.")

principles embodied in the USOA provisions and will permit Applicant to comply with any applicable Commission requirements.

Such waivers have been granted under similar circumstances, and CTLC respectfully requests that the Commission similarly grant the aforementioned waivers in the context of this Application.

12. Alternative Regulation of Business Service Offerings

CTLC requests that all of its business service offerings be regulated pursuant to the procedures described and set out in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C. It is CTLC's intent by this request to have its business services regulated in the same manner as this Commission has permitted for AT&T Communications of the Southern States. Specifically, CTLC requests:

- a) removal of maximum rate tariff requirements for its business services, consumer card, operator service (Excepting those operator-assisted calls where a consumer uses a local exchange carrier's calling card to complete calls from locations which have not selected the local exchange carrier as their toll provider. Operator surcharges and per-minute rates for this type of call were capped by Order No. 2001-997 dated November 8, 2001) and future private line, and customer network-type offerings;
- b) that tariff filings for these uncapped offerings are presumed valid upon filing. If the Commission institutes an investigation of a particular filing within seven days, the tariff filing will be suspended until further order of the Commission; and
- c) any relaxation in the reporting requirements that may be adopted for AT&T shall apply to the Applicant also.

CONCLUSION

This Application clearly demonstrates that CTLC possesses the requisite technical, financial and managerial qualifications to provide resold telecommunications services throughout the State of South Carolina. Furthermore, granting this Application for a Certificate of Public Convenience and Necessity will promote the public interest, comport with the public convenience and necessity, and meet pertinent legal and regulatory requirements for such applications.

WHEREFORE, CTLC respectfully requests that the Commission issue it a Certificate of Public Convenience and Necessity to provide resold interexchange telecommunications services throughout the State of South Carolina, grant alternative regulation as requested herein and set forth in the attached tariff. CTLC also requests that the Commission grant the waivers requested herein, and grant such other relief as is just and proper.

Respectfully submitted,

**COMMUNICATION TELEFONICAS
LATINAS CORP**

s / John J. Pringle, Jr.

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July 25, 2011

Columbia, South Carolina